

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 4, 2024

**Christopher M. Wolpert
Clerk of Court**

AMERICAN WILD HORSE
CAMPAIGN, et al.,

Petitioners - Appellants,

and

FRIENDS OF ANIMALS, a 501(c)(3)
organization, et al.,

Consolidated Petitioners,

v.

TRACY STONE-MANNING, Bureau of
Land Management Director, in her official
capacity, et al.,

Respondents - Appellees,

and

BUREAU OF LAND MANAGEMENT, et
al.,

Consolidated Respondents,

and

STATE OF WYOMING, et al.,

Intervenor Respondents - Appellees.

RETURN TO FREEDOM, et al.,

Petitioners - Appellants,

No. 24-8055

(D.C. Nos. 2:23-CV-00084-KHR, 2:23-
CV-00087-KHR & 2:23-CV-00117-KHR)
(D. Wyo.)

v.

DEB HAALAND, Secretary of the
Department of the Interior, in her official
capacity, et al.,

Respondents - Appellees

and

ROCK SPRINGS GRAZING
ASSOCIATION, A Wyoming Corporation,

Intervenor Respondent -
Appellee,

and

AMERICAN WILD HORSE
CAMPAIGN, et al.,

Consolidated Petitioners,

STATE OF WYOMING,

Consolidated Intervenor
Respondent,

BUREAU OF LAND MANAGEMENT,

Consolidated Respondent.

FRIENDS OF ANIMALS, a 501(c)(3)
organization,

Petitioner - Appellant,

and

No. 24-8056

(D.C. Nos. 2:23-CV-00084-KHR, 2:23-
CV-00087-KHR & 2:23-CV-00117-KHR)
(D. Wyo.)

AMERICAN WILD HORSE
CAMPAIGN, et al.,

Consolidated Petitioners,

v.

DEB HAALAND, Secretary of the
Department of the Interior, in her official
capacity, et al.,

Respondents - Appellees,

and

ROCK SPRINGS GRAZING
ASSOCIATION, a Wyoming corporation,

Intervenor Respondent- Appellee,

STATE OF WYOMING, et al.,

Consolidated Intervenor
Respondents,

TRACY STONE-MANNING, Bureau of
Land Management Director, in her official
capacity, et al.,

Consolidated Respondents.

No. 24-8057

(D.C. Nos. 2:23-CV-00084-KHR, 2:23-
CV-00087-KHR & 2:23-CV-00117-KHR)
(D. Wyo.)

ORDER

These matters are before the court on the *Consent Motion to Administratively Consolidate This Appeal with Appeal Numbers 24-8056 & 24-8057, and to File a Single, Deferred Joint Appendix*, filed by the Petitioners-Appellants in 24-8055.¹ The above-

¹ The motion refers to these Petitioners-Appellants as “the AWHC Appellants.”

captioned appeals arise from the same proceeding in the United States District Court for the District of Wyoming. All three appeals challenge the same district court order and final judgment, ECF Nos. 80 and 81. The motion contains two requests: (1) to procedurally consolidate these three appeals, and (2) to file a deferred joint appendix. Upon consideration, both requests are granted as follows:

Consolidation

These appeals are hereby procedurally consolidated for purposes of preparing a joint deferred appendix, submission to the court, and oral argument (if granted). Unless good cause exists to do otherwise, all future filings in these appeals shall be captioned for and filed in all three appeals.

The Appellants may file separate opening briefs, but they must coordinate with each other to avoid duplicative briefing. Though not required, the court strongly encourages the government and Rock Springs Grazing Association to each file a single consolidated response brief in response to the separate opening briefs. The Appellants may file individual reply briefs, but again, they must coordinate to avoid duplicative briefing.

Deferred Appendix

The parties shall electronically file uncited opening, response, and reply briefs pursuant to the briefing schedule set forth in Federal Rule of Appellate Procedure 31. A deadline for the opening briefs will be set once the district court has notified this court and the parties that the record is complete in all three appeals. The cover for the uncited briefs shall clearly designate each brief as an “Uncited Preliminary

[Opening/Response/Reply] Brief (Deferred Appendix Appeal).” The parties need not provide hardcopies of their uncited briefs to the court.

Within 14 days after the uncited reply briefs are filed, the parties shall electronically file a joint appendix that complies with Tenth Circuit Rule 30. A single hardcopy of the joint appendix must be received in the Clerk’s Office within 5 business days after issuance of notice that the electronic filing is compliant.

Within 7 days after issuance of notice that the electronically-filed joint appendix is compliant, the parties shall electronically file final briefs containing citations to the joint appendix. No substantive changes may be made from the uncited preliminary briefs. Seven hardcopies of each final brief must be received in the Clerk’s Office within 5 business days after issuance of notice that the electronic filing is compliant.

Finally, only the AWHC Appellants are responsible for attaching a copy of the district court’s order and judgment to their final opening brief. *See* 10th Cir. R. 28.2(A). The order and judgment need not be attached to the uncited opening briefs.

Entered for the Court

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk